



## MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen  
*Chair*

Kenita V. Barrow  
*Vice Chair*

**September 1, 2016**

### **Waiver 16-08-016**

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

LaKisha Barksdale is a social worker with the Children, Youth and Family services (CYFS) Division, Child Welfare Services (CWS) Section at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed as a Case Coordinator at Suburban Hospital, an entity that contracts with DHHS.

DHHS contracts with Suburban Hospital for services with divisions other than CWS. Ms. Barksdale's outside employment with Suburban Hospital has no relationship to the contracts DHHS has with the hospital, and her employment with DHHS as a social worker at CWS does not involve Suburban Hospital contracts with DHHS.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Barksdale not referring, in her County capacity, DHHS clients to Suburban Hospital and on Ms. Barksdale not working, while at Suburban, with any of her CWS clients.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Barksdale.

For the Commission:

Steven Rosen, Chair

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